

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In re:

Lana BE Flores

Debtor.

Case No. 8-16-72716-Reg

Chapter 7

Richard A Calugnost

Plaintiff,

-against-

Adv. Proc. No.

Lana BE Flores

Defendant.

COMPLAINT

Complaint seeking a Determination that the Debt
Owed to the Plaintiff by The Defendant
is Non-Dischargeable

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U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF
NEW YORK

Richard A Calugnost Plaintiff, filing this complaint against Lana BE Flores,
Defendant, seeking determination that the debt owed to me by the Defendant is non-
dischargeable, states as follows:

1. The Defendant has filed for Chapter 7 bankruptcy in this court and this court has jurisdiction to determine the dischargeability of debts owed by the Debtor;
2. Richard A Calugnost, the Plaintiff, resides at 212 California Pl. S. Tscholokuy 1572. The Defendant, Lana BE Flores, resides at 207 Evans Ave Elmont NY 11003.

3. _____

[put in the reasons why you believe there are grounds to ask the Court for relief: ie:
Pursuant to Bankruptcy Code Section 523 – you must determine what section of the
bankruptcy code applies to your case.

4. The Plaintiff requests that Civil Judgement index # CV-024639-13/100
(describe the debt) be declared non-dischargeable pursuant to the Bankruptcy Code.

WHEREFORE, Plaintiff(s) respectfully request that this Court declare the
Civil Judgment CVO24639-13/NA (describe the
debt) non-dischargeable pursuant to the Bankruptcy Code.

Respectfully submitted,

Richard A. Calogian II
, Plaintiff

Print name: Richard A. Calogian II
Address: 20 California Pl So Island PK NY 11558
Phone: (516) 39-6626

B104 (Form 104) (08/07)	
ADVERSARY PROCEEDING COVER SHEET (Instructions on Reverse)	ADVERSARY PROCEEDING NO.
PLAINTIFF(S) Richard A Calvagno Jr	DEFENDANT(S) Laina BE Flores
ATTORNEY(S) (Firm Name, Address, Telephone No.)	ATTORNEY(S) (If Known) Richard Jacoby Jacoby & Jacoby 1137 N. Ocean Ave Melville NY 11763
PARTY (Check One Box Only) <input type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee <input checked="" type="checkbox"/> Creditor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	PARTY (Check One Box Only) <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee <input type="checkbox"/> Creditor <input type="checkbox"/> Trustee
CAUSE OF ACTION (Write a brief statement of cause of action, including all U.S. statutes involved)	
NATURE OF SUIT (Number up to 5 boxes with the lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)	
FRBP 7001(1) – Recovery of Money/Property <input type="checkbox"/> 11 – Recovery of money/property - § 542 turnover of property <input type="checkbox"/> 12 – Recovery of money/property - § 547 preference <input type="checkbox"/> 13 – Recovery of money/property - § 548 fraudulent transfer <input type="checkbox"/> 14 – Recovery of money/property – other FRBP 7001(2) – Validity, Priority or Extent of Lien <input type="checkbox"/> 21 – Validity, priority or extent of lien or other interest in property FRBP 7001(3) – Approval of Sale of Property <input type="checkbox"/> 31 – Approval of sale of property of estate and of a co-owner - § 363(h) FRBP 7001(4) – Objection/Revocation of Discharge <input type="checkbox"/> 41 – Objection/revocation of discharge - § 727(c), (d), (e) FRBP 7001(5) – Revocation of Confirmation <input type="checkbox"/> 51 – Revocation of confirmation FRBP 7001(6) – Dischargeability <input type="checkbox"/> 66 – Dischargeability - § 523(a)(1), (14), (14A) priority tax claims <input checked="" type="checkbox"/> 67 – Dischargeability - § 523(a)(2), false pretenses, false representation, actual fraud <input type="checkbox"/> 67 – Dischargeability - § 523(a)(4), fraud as fiduciary, embezzlement, larceny (continued next column)	FRBP 7001(6) – Dischargeability (continued) <input type="checkbox"/> 61 – Dischargeability - § 523(a)(5), domestic support <input checked="" type="checkbox"/> 68 – Dischargeability - § 523(a)(6), willful and malicious injury <input type="checkbox"/> 63 – Dischargeability - § 523(a)(8), student loan <input type="checkbox"/> 64 – Dischargeability - § 523 (a)(15), divorce or separation obligation (other than domestic support) <input checked="" type="checkbox"/> 65 – Dischargeability – other FRBP 7001(7) – Injunctive Relief <input type="checkbox"/> 71 – Injunctive relief – imposition of stay <input type="checkbox"/> 72 – Injunctive relief – other FRBP 7001(8) – Subordination of Claim or Interest <input type="checkbox"/> 81- Subordination of claim or interest FRBP 7001(9) – Declaratory Judgment <input type="checkbox"/> 91 – Declaratory judgment FRBP 7001(10) – Determination of Removed Action <input type="checkbox"/> 01 – Determination of removed claim or cause Other <input type="checkbox"/> SS-SIPA Case – 15 U.S.C. §§ 78aaa et seq. <input type="checkbox"/> 02 – Other (e.g., other actions that would have been brought in state court if unrelated to bankruptcy case) <input type="checkbox"/> Check if this case involves a substantive issue of state law <input type="checkbox"/> Check if a jury trial is demanded in complaint
<input type="checkbox"/> Check if this is asserted to be a class action under FRCP 23	
Demand: \$ 17,342.10	
Other Relief Sought:	

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 E.D. NEW YORK
 CLERK

B104 (Form 104) (08/07), Page 2		
BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES		
NAME OF DEBTOR <i>Lara BE Flores</i>		BANKRUPTCY CASE NO. <i>8-16-72716-reg</i>
DISTRICT IN WHICH CASE IS PENDING <i>Eastern District of New York</i>	DIVISION OFFICE	NAME OF JUDGE
RELATED ADVERSARY PROCEEDING (IF ANY)		
PLAINTIFF	DEFENDANT	ADVERSARY PROCEEDING NO.
DISTRICT IN WHICH ADVERSARY PROCEEDING IS PENDING	DIVISION OFFICE	NAME OF JUDGE
SIGNATURE OF ATTORNEY (OR PLAINTIFF) <i>Robert A. Calvo II</i>		PRINT NAME OF ATTORNEY (OR PLAINTIFF)
DATE <i>9/26/16</i>		

INSTRUCTIONS

The filing of a bankruptcy case creates an "estate" under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also complete and file Form 104, the Adversary Proceeding Cover Sheet. When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff, if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and Defendants. Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.